

1 Hon. Kymberly K. Evanson
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 UNITED STATES OF AMERICA,

No. CR 23-172 KKE

11 Plaintiff,

ORDER DENYING MOTION TO
CONTINUE TRIAL & PRETRIAL
MOTIONS DEADLINE

12 v.

13 ERNESTOR LOPEZ-PEREZ,

14 Defendant.

15 This matter comes before the Court on Defendant Ernestor Lopez-Perez's Motion to
16 Continue Trial Date & Pretrial Motions Deadline. Dkt. No. 52.

17 Although this motion is styled as an agreed motion, it is signed only by Lopez-Perez's
18 counsel. *See* Dkt. No. 52. Counsel represents that counsel for the other parties do not object to
19 the motion (*id.* at 1), but their signatures are not affixed to the motion. Furthermore, only two of
20 the four co-defendants have filed speedy trial waivers (Dkt. Nos. 51, 53), and the Court has no
21 basis to assume the other two co-defendants waive that right. *See* Dkt. No. 52 at 2-3. Lastly, the
22 basis for the motion is scheduling and workload conflicts facing Lopez-Perez's counsel, but
23 these concerns do not necessarily implicate counsel for Lopez-Perez's co-defendants. After
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1 reviewing the motion as currently written, the Court does not find a basis to grant a trial
2 continuance that would apply to all defendants.

3 Accordingly, the Court DENIES the motion (Dkt. No. 52), subject to re-filing consistent
4 with the concerns listed herein. Any future joint motion shall be signed by all parties and filed as
5 to each co-defendant, and will not be granted unless all defendants have filed waivers of their
right to a speedy trial.

6 ORDERED this 30th day of November, 2023.
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10 Kymberly K. Evanson
United States District Judge
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